



Washington, D.C. 20505

STAT

29 JUL 1987

This is in response to your letter of 25 May 1987 to Mr. William F. Donnelly, Chairman, Information Review Committee, which was referred to this office for action. In your letter, you noted this Agency's denial of your Freedom of Information Act (FOIA) request for records concerning the deceased German national, Dr. Eugen Sanger, and inquired as to "what the procedure is for starting a judicial review in U.S. District Court."

As we informed you in our letter of 20 May 1987, the FOIA includes a provision for judicial review of agency determinations regarding access to records. This provision may be found in section (a)(4)(B) of the Act [5 U.S.C. §552(a)(4)(B)], which reads as follows:

(B) On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant. In such a case the court shall determine the matter de novo, and may examine the contents of such agency records in camera to determine whether such records or any part thereof shall be withheld under any of the exemptions set forth in subsection (b) of this section, and the burden is on the agency to sustain its action.

I trust that this response has been helpful to you.

Information and Privacy Coordinator

DD/A REGISTRY
FILE: 70-3

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STAT Distribution:
 Original - IPD (Attn: [redacted] 1107 Ames Building
 1 - IPD Chrono
STAT 1 - ALB Chrono
 1 - IPD Subject: Closed Appeal - [redacted] F86-1165
STAT 1 - OGC [redacted]
 ✓ 1 - EXA/DDA, 7D18 - HQS. (w/Attachment)

Mr William F. Donnelly
Chairman
Information Review Committee
CIA
Washington, DC 20505

Dear Mr. Donnelly,

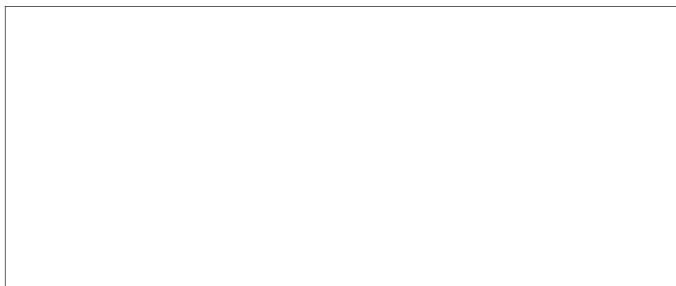
5-25-87

Thank you for your letter, regarding my FOIA request for records pertaining to the deceased German national, Dr. Eugen Sanger. I was denied access.

Would you please inform me now as to what the procedure is for starting a judicial review in U.S. District Court.

Thank you,

Sincerely,



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Next 3 Page(s) In Document Denied

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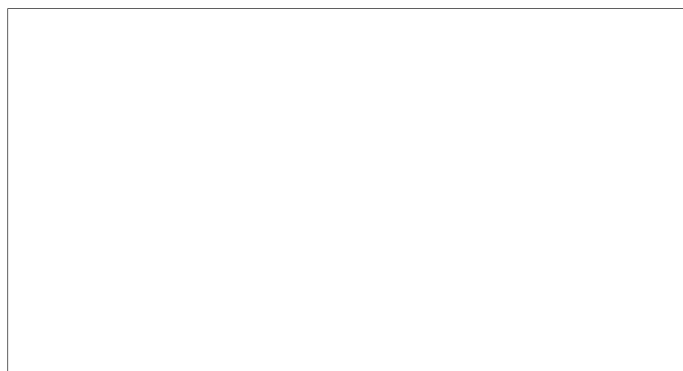
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